

NICHOLAS A. TRUTANICH
United States Attorney
District of Nevada
Nevada Bar Number 13644
ALLISON REESE
Nevada Bar Number 13977
Assistant United States Attorney
501 Las Vegas Blvd. South, Suite 1100
Las Vegas, Nevada 89101
Phone: (702) 388-6336
Email: allison.reese@usdoj.gov
Attorneys for the United States of America

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JUAN ERNESTO ORTIZ TORRES,

Defendant.

Case No.: 2:20-mj-00641-DJA

**STIPULATION TO CONTINUE
THE PRELIMINARY HEARING
(*First Request*)**

IT IS HEREBY STIPULATED AND AGREED, by and between NICHOLAS A. TRUTANICH, United States Attorney, and ALLISON REESE, Assistant United States Attorney, counsel for the United States of America, and BENJAMIN DURHAM, counsel for Defendant JUAN ERNESTO ORTIZ TORRES, that the preliminary hearing date in the above-captioned matter, currently scheduled for August 21, 2020, at 4:00 p.m., be vacated and continued for sixty (60) days, to a date and time to be set by this Honorable Court.

This stipulation is entered into for the following reasons:

1. The Government needs additional time to produce relevant discovery to Defense Counsel.

///

2. Defense Counsel needs additional time to review the discovery, conduct additional investigation, and confer with the Defendant about how he would like to proceed.

3. The parties agree to the continuance.

4. Defendant JUAN ERNESTO ORTIZ TORRES is out of custody and does not object to the continuance.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice.

6. The additional time requested herein is not sought for purposes of delay, but to allow for a potential pre-indictment resolution of the case.

7. The additional time requested by this stipulation, is allowed, with the defendant's consent under the Federal Rules of Procedure 5.1(d).

8. This is the first request for a continuation of the preliminary hearing.

DATED: August 14, 2020

Respectfully submitted,

NICHOLAS A. TRUTANICH
United States Attorney

/s/ Allison Reese

ALLISON REESE
Assistant United States Attorney

BENJAMIN DURHAM LAW FIRM

/s/ Benjamin C. Durham

Benjamin C. Durham
Counsel for Defendant Juan Ernesto Ortiz
Torres

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

-oOo-

UNITED STATES OF AMERICA,

Case No.: 2:20-mj-00641-DJA

Plaintiff,

ORDER

vs.

JUAN ERNESTO ORTIZ TORRES,

Defendant.

ORDER

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The Government needs additional time to produce relevant discovery to Defense Counsel.

2. Defense Counsel needs additional time to review the discovery, conduct additional investigation, and confer with the Defendant about how he would like to proceed.

3. The parties agree to the continuance.

4. Defendant JUAN ERNESTO ORTIZ TORRES is out of custody and does not object to the continuance.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice.

6. The additional time requested herein is not sought for purposes of delay, but to allow for a potential pre-indictment resolution of the case.

7. The additional time requested by this stipulation, is allowed, with the defendant's consent under the Federal Rules of Procedure 5.1(d).

8. This is the first request for a continuation of the preliminary hearing.

1 For all of the above-stated reasons, the ends of justice would best be served by a
2 continuance of the preliminary hearing date.

3 **CONCLUSIONS OF LAW**

4 The ends of justice served by granting said continuance outweigh the best interest of the
5 public and the defendant, since the failure to grant said continuance would be likely to result in
6 a miscarriage of justice, would deny the parties herein to potentially resolve the case prior to
7 indictment, and further would deny the parties sufficient time and the opportunity within which
8 to be able to effectively and thoroughly prepare for the preliminary hearing, taking into account
9 the exercise of due diligence.

10 The continuance sought herein is allowed, with the defendant's consent, pursuant to
11 Federal Rules of Procedure 5.1(d).

12 **ORDER**

13 IT IS THEREFORE ORDERED that the preliminary hearing currently scheduled for
14 August 21, 2020, at the hour of 4:00 p.m., be vacated and continued to
15 _____ October 19 _____, 2020, at the hour of 4:00 p.m. in Courtroom 3A.

16 DATED this 14th day of August, 2020.

17 
18 _____
19 THE HONORABLE DANIEL J. ALBREGTS
20 UNITED STATES MAGISTRATE JUDGE
21
22
23
24